

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FERNANDO HERNANDEZ,

Defendant.

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8:08CR133

ORDER

This matter is before the court on defendant's unopposed MOTION FOR EXTENSION OF TIME FOR FILING PRETRIAL MOTION [16]. For good cause shown, I find that the motion should be granted in part. The defendant will be given an approximate 14-day extension. Pretrial Motions shall be filed by June 12, 2008.

IT IS ORDERED:

1. Defendant's MOTION FOR EXTENSION OF TIME FOR FILING PRETRIAL MOTION [16] is granted in part. Pretrial motions shall be filed on or before **June 12, 2008**.

2. Defendant is ordered to file a waiver of speedy trial as soon as practicable.

3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between May 29, 2008 and June 12, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 28th day of May, 2008.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**